

REMARKS

Entry of the above amendments and reconsideration of this application are respectfully requested. Claims 1-5, 9, 11-14, 21-24 and 26-30 have been cancelled and claims 6-8, 10, 15-20 and 25 have been rewritten in independent form. New claims 31-41 have been added. A Claim Chart detailing support for the amended and new claims has been included below for the Examiner's convenience. Upon entry of the above amendments, claims 6-8, 10, 15-20, 25, and 31-40 will be pending and under consideration. Reconsideration and allowance of this application are respectfully requested.

Claim Chart

Pending Claim	Original Claims
6	1 + 6
15	1 + 15
17	1 + 17
19	1 + 19
25	21 + 25
31	21 + 25 + 26
32	21 + 25 + 27
33	21 + 25 + 28
34	21 + 22 + 25
35	21 + 23 + 25
36	21 + 24 + 25
37	1 + 2 + 6
38	1 + 3 + 6
39	1 + 4 + 6
40	1 + 5 + 6

Claims 1, 3-5, 9, 14, 17, 21, 22-24 and 28-30 stand rejected under 35 U.S.C. §102(e) as being anticipated by Buchanan, U.S. Patent No. 6,936,067. The Examiner contends that Buchanan teach an artificial valve including a flexible material (e.g., submucosa tissues) and a removable frame element.

Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Buchanan in view of Buchanan et al., U.S. Patent No. 6,074,418. The Examiner asserts that Buchanan generally teach the artificial valve of the invention but fail to teach the use of barbs, which the Examiner asserts is taught by Buchanan et al.

Claims 26-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Buchanan in view of Hojeibane, U.S. Publication No. 2003/0236568. The Examiner asserts that Buchanan generally teach the artificial valve of the invention but fail to teach coating the frame element or the use of paclitaxel, which the Examiner asserts is taught by Hojeibane.

Claims 6-8, 10, 15-20 and 25 are objected to as being dependent upon a rejected base claim.

To remove the rejections outlined above, claims 1-5, 9, 11-14, 21-24 and 26-30 have been cancelled. Without conceding the validity of the rejections raised in the Office Action, Applicants have elected to amend the claims to facilitate prosecution of claims to certain embodiments of the invention that have been indicated as allowable. More specifically, Claims 6, 15, 17, 19 and 25 have been rewritten in independent form, and the remaining objected claims have been retained and depend from one of these independent claims. New claims 31-40 have also been added according to the Claim Chart above. Applicants reserve the right to pursue the subject matter of the cancelled claims in one or more continuing applications.

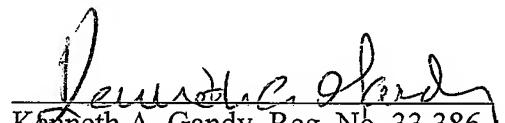
Conclusion

In view of the foregoing, it is submitted that all rejections and objections have been overcome. It is also submitted that new claims 31-40 are novel and unobvious over the prior art. Withdrawal of the rejections and allowance of the claims are solicited.

Request for Interview

In the event that the Examiner finds any reason that the application cannot be allowed in its present form, the Applicant wishes to conduct an interview with the Examiner prior to any further action in order to provide an opportunity for coming to agreement upon allowable claims. To arrange the interview, the Examiner should call the undersigned attorney at the telephone number given.

Respectfully submitted,


Kenneth A. Gandy, Reg. No. 33,386
Woodard, Emhardt, Moriarty, McNett
& Henry LLP
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456